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EXAMINER

GARY, ERIKA A

ART UNIT	PAPER NUMBER
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2617

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PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/824,891

Applicant(s)

PARK ET AL.

Examiner

Erika A. Gary

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 6/18/07.
- 2a) ☒ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 250-322 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 250-322 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 250, 251, 253, 255-257, 259, 267-270, and 272 are rejected under 35 U.S.C. 102(e) as being anticipated by **Korpela (5,946,634)**.

Regarding claim 250, Korpela discloses a method for interfacing between a terminal (10), and a radio network (20a-20c), the method comprising: providing the terminal with a message comprising core network operating type information and an information element identifying an operating type of a core network, wherein the operating type of the core network comprises global system for mobile communications application part (GSM-MAP) or ANSI-41 (see fig. 8 and Fig. 9, steps 1202-1206; col. 6, lines 15-41).

Regarding claims 251, and 253, Korpela further discloses storing a core network operating type information (storage as code file, step 1222, Fig. 10), and reading the core network operating type information stored on a storage device during a time period of initialization of the radio network (registering on network and proceeding

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using new protocols, steps 1230, 1232 of Fig. 12) and wherein the storage device includes a memory for storing the operating type of the core network (feature of step 1304 of Fig. 11).

Regarding claims 255 and 256, Korpela further discloses wherein the core network operating type information is periodically inserted into the predetermined location of the message to be transmitted to the terminal (see col. 6, lines 15-24).

Regarding claim 257, Korpela further discloses wherein the predetermined channel is a synchronous channel (see col. 6, lines 14-28).

Regarding claim 265, Korpela discloses an apparatus for interfacing between a terminal (10), and a radio network (20a-20c), comprising: a storage device contained in the radio network for storing core network operating information representing an operating type of a core network (see col. 4, lines 14-36), extraction block, contained in the radio network, for reading the core network operating type information during a period of initialization of the radio network (registering on network and proceeding using new protocols, steps 1230, 1232 of Fig. 12) and wherein the storage device includes a memory for storing the operating type of the core network (feature of step 122 of Fig. 10), and messaging block (see 102 of Fig. 8), contained in the radio network, for periodically providing the terminal with a message comprising the core network operating type information and an information element identifying the operating type of the core network through a predetermined channel (see col. 6, lines 14-28), wherein the operating type of the core network comprises global system for mobile communications application part (GSM-MAP) or ANSI-41 [col. 6: lines 15-41].

Regarding claims 267 and 268, Korpela further discloses wherein the storage device includes a memory for storing the operating type of the core network (accessing protocol file in store 26, step 1304 of Fig. 11).

Regarding claim 269, Korpela further discloses wherein the predetermined channel is a synchronous channel (mobile terminal receives broadcast signals as transmitted on the broadcast control channel, col. 6, lines 14-41 and col. 2, line 66 to col. 3, line 5).

Regarding claims 270, Korpela's teaching as illustrated in Figs. 8 and 9 shows the message block inserting the core network operating type information into a synchronous channel message (see col. 6, lines 14-41, Fig. 8).

Regarding claim 277, Korpela further discloses wherein the radio network includes at least one BTS (20) for transmitting the message and BSC for controlling the BTS (see col. 1, lines 19-34, and col. 4, lines 13-15).

Regarding claims 255 and 256, Korpela further teaches inserting the core network operating type information into the message and transmitting the message through a predetermined channel (see 102 of Fig. 8) and wherein the predetermined channel is a synchronous channel (mobile terminal receives broadcast signals as transmitted on the broadcast control channel, col. 6, lines 14-41 and col. 2, line 66 to col. 3, line 5).

Regarding claims 259 and 272, Korpela teaches the core network operating type is GSM-MAP [col. 6: lines 22-24].

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claim 252, 254, 266, and 268, are rejected under 35 U.S.C. 103(a) as being unpatentable over **Korpela (5,946,634) in view of Well Known Prior Art (Official Notice)**.

Regarding claims 252, 254, 266, and 268, Korpela meets all limitations as applied to claims 250, 253, 265, and 267 above, but fails to specifically teach that the storage device includes a dip-switch for designating the operating type of the core network and the memory is a read only memory (ROM).

The use of storage devices including a dip-switch or ROM is very well known in the art and as such examiner takes Official Notice that it would have been obvious to one of ordinary skill in the art to provide a storage or memory device including a dip-switch or ROM in the system of Korpela in order to control the executing of codes from the storage locations for effecting desired communications.

5. Claims 258, 260, 271, 273, 279-280, 282-292, 294, 297-302, 304, 312, 314, and 322, are rejected under 35 U.S.C. 103(a) as being unpatentable over **Korpela (5,946,634) in view of Lupien et al. (6,389,008)**.

Regarding claims 258, 260, 271, 273, 279, 290, 301, and 312, Korpela meets all limitations as applied above to claims 250 and 265, but fails to specifically that the core network type information includes an ANSI-41 information representing a synchronous operating type core network.

Lupien discloses an integrated radio communication network, which integrates an ANSI-41 circuit switched network and a GPRS packet data network (see title, abstract), wherein the amount of integration is kept as low as possible by maintaining the integrity of each network function and node on both the GPRS side of the interface and the ANSI-41 side (see col. 4, lines 42-63, col. 16, lines 35-51), and includes an ANSI-41 core network (see col. 12, lines 3-21).

It would therefore have been obvious to one of ordinary skill in the art to implement Korpela's multiple protocol communication system wherein a core network operates according to ANSI-41 protocols in order to allow mobile subscribers to access both voice/circuit switched and packet switched services in a flexible manner as taught by Lupien.

Regarding claims 280, 282, 283, 294, 302, 304 and 314, Korpela further discloses storing a core network operating type information in a storage device (storage as code file, step 1222, Fig. 10), and reading the core network operating type information stored on a storage device during a time period of initialization of the radio network (registering on network and proceeding using new protocols, steps 1230, 1232 of Fig. 12) and wherein the storage device includes a memory for storing the operating type of the core network (feature of step 1304 of Fig. 11).

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Regarding claims 284 and 285, Korpela further teaches inserting the core network operating type information into the message and transmitting the message through a predetermined channel (see 102 of Fig. 8), and wherein the predetermined channel is a synchronous channel (mobile terminal receives broadcast signals as transmitted on the broadcast control channel, col. 6, lines 14-41 and col. 2, line 66 to col. 3, line 5).

Regarding claim 286 Korpela further discloses the core network operating type information is periodically inserted into the message (see col. 6, lines 15-24).

Regarding claims 287 and 288, Korpela's teaching as illustrated in Figs. 8 and 9 shows the message including a master information block and system information message (see col. 6, lines 14-41).

Regarding claim 291, Korpela further discloses a second storage device, contained in the terminal, for storing the recognized operating type of the core network (see Fig. 5).

Regarding claims 300 and 322 Korpela further discloses wherein the radio network includes at least one BTS (20) for transmitting a synchronous message and BSC for controlling the BTS (see col. 1, lines 19-34, and col. 4, lines 13-15).

Regarding claims 292, 297-299 Korpela further discloses wherein the detection block includes: receiver block for receiving the master information block having the core network operating type information (see Fig. 9, steps 1202-1206, col. 6, lines 29-41), and extraction block for extracting the core network operating type information from the

received master information block (registering on network and proceeding using new protocols, steps 1230, 1232 of Fig. 12).

6. Claims 281, 283, 293, 295, 303, 313 and 315 are rejected under 35 U.S.C. 103(a) as being unpatentable over Korpela and Lupien et al as applied to claims 280, 282, 291, 294, 311, 314, and further in view of Well Known Prior Art (Official Notice).

Regarding claims 281, 283, 293, 295, 303, 313 and 315, Korpela as modified by Lupien fail to specifically teach that the messaging block includes a dipswitch for designating the operating type of the core network and the memory is a read only memory (ROM).

The use of storage devices including a dip-switch or ROM is very well known in the art and as such examiner takes Official Notice that it would have been obvious to one of ordinary skill in the art to provide a storage or memory device including a dip-switch or ROM in the system of Korpela and Lupien in order to control the executing of codes from the storage locations for effecting desired communications.

7. Claims 263 and 264 are rejected under 35 U.S.C. 103(a) as being unpatentable over Korpela as applied to claim 250 above, and further in view of **3GPP TS 25.331 V3.0.0 (1999-10)**, hereinafter referred to as (the Specification).

Regarding claims 263 and 264, Korpela discloses a method for interfacing between a terminal (10), and a radio network (20a-20c) and a core network (30a-30c),

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connected to the radio network, wherein the radio network has an asynchronous operating type and the terminal has a hybrid operating type being possible to be set as either a synchronous operating type or the asynchronous operating type (digital signal processor of mobile terminal capable of operating in several modes under control of the control device to selectively interconnect and set up either a voice or data (B-ISDN) communication session, see col. 3, line 66 to col. 4, line 3), the method comprising: providing the terminal with a message including a core network operating type information representing an operating type of a core network (see Fig. 9, steps 1202-1206, col. 6, lines 29-41). Korpela fails to explicitly disclose wherein the message is represented by a table as set forth in the claims.

The Specification teaches the use of broadcast of system information to broadcast system information elements that are of the same nature in a system information block (see page 24, paragraphs 8.1.1.1-8.1.1.2) and the system information messages contains elements as set forth in the table representing the message (see page 148-163).

It would therefore have been obvious to one of ordinary skill in the art to provide for the use of system information block or master information messages to identify core networks available for call connections as taught by the Specification in order to standardize effectively ensure connection parameters availability.

8. Claims 276, 277, 289, 296, 311, and 321, are rejected under 35 U.S.C. 103(a) as being unpatentable over Korpela and Lupien et al as applied to claims 265, 279, 290,

301, and 312 above, and further in view of **3GPP TS 25.331 V3.0.0 (1999-10)**, hereinafter referred to as (the Specification).

Regarding claims 276, 277, 289, 296, 311, and 321, Korpela as modified by Lupien meets all limitations as applied above to claims 265, 279, 290, 301, and 312 but the combination fails to explicitly disclose wherein the message is represented by a table as set forth in the claims.

The Specification teaches the use of broadcast of system information to broadcast system information elements that are of the same nature in a system information block (see page 24, paragraphs 8.1.1.1-8.1.1.2) and the system information messages contains elements as set forth in the table representing the message (see page 148-163).

It would therefore have been obvious to one of ordinary skill in the art to provide for the use of system information block or master information messages to identify core networks available for call connections as taught by the Specification in order to standardize and effectively ensure connection parameters being available for desired communications.

Response to Arguments

9. Applicant's arguments filed June 18, 2007 have been fully considered but they are not persuasive. Applicant argues that Korpela does not teach providing the terminal with a message including a core network operating type information and an information element identifying an operating type of a core network. However, the Examiner

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disagrees as Korpela teaches this in column 6, lines 15-41. Although the claims are interpreted in light of the specification, limitations from the specification are not read into the claims. See *In re Van Geuns*, 988 F.2d 1181, 26 USPQ2d 1057 (Fed. Cir. 1993). Given the broadest reasonable interpretation of the claims, the Examiner maintains that Korpela teaches providing the terminal with a message including a core network operating type information and an information element identifying an operating type of a core network.

Conclusion


10. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Erika A. Gary whose telephone number is 571-272-7841. The examiner can normally be reached on Monday-Thursday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Charles Appiah can be reached on 571-272-7904. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

EAG
August 27, 2007


ERIKA A. GARY
PRIMARY EXAMINER